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JARED BLUMENFELD  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

January 18, 2019

System No. 1510016

Clifford Kennedy, President  
Rand Communities Water District  
P.O. Box 224  
Johannesburg, CA 93528

### **CITATION NO. 03\_19\_19C\_004**

### **Failure To Collect Routine Bacteriological Samples For December 2018 - Rand Communities Water District (Water System No. 1510016)**

Dear Mr. Kennedy,

Enclosed is Citation No. 03\_19\_19C\_004 (hereinafter "Citation"), issued to the Rand Communities Water District Water System (hereinafter "Water System"), public water system for failure to collect routine monthly bacteriological samples during the month of December 2018. Please note that there are legally enforceable deadlines associated with this Citation.

The Water System will be billed at the State Water Resources Control Board's (hereinafter "State Water Board"), hourly rate for the time spent on issuing this Citation. California Health and Safety Code, (hereinafter "CHSC"), Section 116577, provides that a public water system must reimburse the State Water Board for actual costs incurred by the State Water Board for specified enforcement actions, including but not limited to, preparing, issuing and monitoring compliance with a citation. At this time, the State Water Board has spent approximately one (1) hour on enforcement activities associated with this violation.

The Water System will receive a bill sent from the State Water Board in August of the next fiscal year. This bill will contain fees for any enforcement time spent on the Water System for the current fiscal year.

Any person who is aggrieved by a citation, order or decision issued under authority delegated to an officer or employee of the state board under Article 8 (commencing with CHSC, Section 116625) or Article 9 (commencing with CHSC, Section 116650), of the Safe Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4), may file a petition with the State Water Board for reconsideration of the citation, order or decision. Appendix 1 to the enclosed Citation contains the relevant statutory provisions for filing a petition for reconsideration (CHSC, Section 116701).

FELICIA MARCUS, CHAIR | EILEEN SOBECK, EXECUTIVE DIRECTOR

4925 Commerce Drive, Suite 120, Bakersfield, CA 93309 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

Petitions must be received by the State Water Board within 30 days of the issuance of the citation, order or decision by the officer or employee of the state board. The date of issuance is the date when the Division of Drinking Water mails a copy of the citation, order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day by 5:00 p.m. Information regarding filing petitions may be found at:

[http://www.waterboards.ca.gov/drinking\\_water/programs/petitions/index.shtml](http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml)

If you have any questions regarding this matter, please contact Osiel Jaime of my staff at 661-335-7347 or via email at [osiel.jaime@waterboards.ca.gov](mailto:osiel.jaime@waterboards.ca.gov).

Sincerely,

A handwritten signature in blue ink, reading "Jaswinder S. Dhaliwal", with a long horizontal flourish extending to the right.

Jaswinder S. Dhaliwal, P.E.  
Senior Sanitary Engineer  
DRINKING WATER FIELD OPERATIONS BRANCH

Enclosure: Citation No. 03\_19\_19C\_004

**Certified Mail No. 7016 0910 0002 1259 2940**

cc: Kern County Dept. of Public Health, Env. Health Division  
Debbie Jones, Office Manager, Rand Communities Water District (via email)  
Garrison Clair, Head of Maintenance, Rand CWD, P.O. Box 23, Red Mountain, CA 93558

JSD/al

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF DRINKING WATER

**Name of Public Water System:** Rand Communities Water District

**Water System No:** 1510016

**Attention:** Clifford Kennedy, President  
Rand Communities Water District  
P.O. Box 224  
Johannesburg, CA 93528

**Issued:** January 18, 2019

**CITATION FOR NONCOMPLIANCE WITH  
CALIFORNIA HEALTH AND SAFETY CODE, SECTION 116555(a)(1) AND  
CALIFORNIA CODE OF REGULATIONS, TITLE 22, SECTION 64423**

**TOTAL COLIFORM MONITORING VIOLATION  
DECEMBER 2018**

The California Health and Safety Code (hereinafter "CHSC"), Section 116650 authorizes the State Water Resources Control Board (hereinafter "State Water Board"), to issue a citation to a public water system when the State Water Board determines that the public water system has violated or is violating the California Safe Drinking Water Act (hereinafter "California SDWA"), (CHSC, Division 104, Part 12, Chapter 4, commencing with Section



1 116270), or any regulation, standard, permit, or order issued or adopted  
2 thereunder.

3  
4 The State Water Board, acting by and through its Division of Drinking Water  
5 (hereinafter "Division"), and the Deputy Director for the Division, hereby  
6 issues Citation No. 03\_19\_19C\_004 (hereinafter "Citation"), pursuant to  
7 Section 116650 of the CHSC to the Rand Communities Water District  
8 (hereinafter "Water System"), for violation of CHSC, Section 116555(a)(1) and  
9 California Code of Regulations (hereinafter "CCR"), Title 22, Section 64423.

#### 10 11 **STATEMENT OF FACTS**

12 The Water System is classified as a Community public water system with a  
13 population of 450 serving 249 connections. The Water System operates  
14 under Domestic Water Supply Permit No. 03-92-029 issued by the California  
15 Department of Health Services on December 4, 1992. Effective July 1, 2014,  
16 the Water System has been under the regulatory jurisdiction of the State  
17 Water Board.

18  
19 CHSC, Section 116555(a)(1) requires all public water systems to comply with  
20 primary drinking water standards as defined in CHSC, Section 116275(c).  
21 Primary drinking water standards include maximum levels of contaminants  
22 and the monitoring and reporting requirements as specified in regulations  
23 adopted by the State Water Board that pertain to maximum contaminant  
24 levels.

25  
26 CCR, Title 22, Section 64421(a)(2) states that each water supplier shall  
27 collect routine, repeat and replacement samples as required in Sections  
28 64423, 64424 and 64425. Section 64423 states that a water supplier shall

**DIRECTIVES**

The Water System is hereby directed to take the following actions:

1. The Water System shall collect the routine bacteriological sample(s) required in accordance with CCR, Title 22, Section 64423 in all future compliance periods. The two routine samples for the month of January 2019 shall be collected by January 31, 2019, and the results of the samples shall be reported to the State Water Board by February 10, 2019.
2. On or before **January 31, 2019**, notify all persons served by the Rand Communities Water System of the violation of Section 64423 in conformance with CCR, Title 22, Sections 64463.4(b)&(c) and 64465. Notification Template provided under **Appendix 1** shall be used to fulfill this directive, unless otherwise approved by the State Water Board. In addition, the Water System shall include description of this monitoring violation in its 2018 Consumer Confidence Report.
3. Complete **Appendix 2: Compliance Certification Form**. Submit it together with a copy of the public notification, required by Directive 2, to the State Water Board on or before **February 10, 2019**
4. Complete **Appendix 3: Notification of Receipt Form**. Complete and return to the State Water Board the Notification of Receipt Form on or before **January 25, 2019**.

All submittals required by this Citation shall be electronically submitted to the State Water Board at the following address. The subject line for all electronic

submittals corresponding to this Citation shall include the following information: Water System name and number, citation number and title of the document being submitted. Submittals may also be sent to the following mailing email address:

Jaswinder S. Dhaliwal, P.E.  
Senior Sanitary Engineer  
dwpdist19@waterboards.ca.gov

The State Water Board reserves the right to make modifications to this Citation as it may deem necessary to protect public health and safety. Such modifications may be issued as amendments to this Citation and shall be effective upon issuance.

Nothing in this Citation relieves the Water System of its obligation to meet the requirements of the California SDWA (CHSC, Division 104, Part 12, Chapter 4, commencing with Section 116270), or any regulation, standard, permit or order issued or adopted thereunder.

#### **PARTIES BOUND**

This Citation shall apply to and be binding upon the Water System, its owners, shareholders, officers, directors, agents, employees, contractors, successors, and assignees.

#### **SEVERABILITY**

The directives of this Citation are severable, and the Water System shall comply with each and every provision thereof notwithstanding the effectiveness of any provision.



**FURTHER ENFORCEMENT ACTION**

The California SDWA authorizes the State Water Board to: issue a citation or order with assessment of administrative penalties to a public water system for violation or continued violation of the requirements of the California SDWA or any regulation, permit, standard, citation, or order issued or adopted thereunder including, but not limited to, failure to correct a violation identified in a citation or compliance order. The California SDWA also authorizes the State Water Board to take action to suspend or revoke a permit that has been issued to a public water system if the public water system has violated applicable law or regulations or has failed to comply with an order of the State Water Board, and to petition the superior court to take various enforcement measures against a public water system that has failed to comply with an order of the State Water Board. The State Water Board does not waive any further enforcement action by issuance of this Citation.



Jaswinder S. Dhaliwal, P.E.



Date

Senior Sanitary Engineer

DRINKING WATER FILED OPERATIONS BRANCH

**Appendices (3):**

1. Notification Template
2. Compliance Certification Form
3. Notification of Receipt Form

**Certified Mail No. 7016 0910 0002 1259 2940**

cc: Kern County Dept. of Public Health, Env. Health Division (w/o appendices)  
Debbie Jones, Office Manager, Rand Communities Water District (via email)  
Garrison Clair, Operator, Rand CWD, P.O. Box 23, Red Mountain, CA 93558

## APPENDIX 1. NOTIFICATION TEMPLATE

### IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene informacion muy importante sobre su agua potable.

Por favor hable con alguien que lo pueda traducir.

### Bacteriological Monitoring Requirements

### Not Met for Rand Communities Water District During December 2018

Our water system recently violated a drinking water standard. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we did to correct the situation.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During December 2018 we did not meet all monitoring requirements for coliform bacteria and therefore cannot be sure of the quality of our drinking water during that time.

#### What should I do?

- **You do not need to boil your water or take other corrective actions.**
- The table below lists the contaminant we did not properly test for during the December 2018, how many samples we are required to take and how often, how many samples we took, when samples should have been taken, and the date on which follow-up samples will be taken.

Contaminant	Required sampling frequency	Number of samples taken	When all samples should have been taken	When samples will be taken
Total Coliforms	2/Month	0	December 2018	By January 31, 2019

- If you have health issues concerning the consumption of this water, you may wish to consult your doctor.



**What happened? What is being done?** We are currently without a General Manager and didn't know that the bacteriological testing was to be done on a monthly basis rather than a quarterly basis. The bacteriological test for December 2018 was skipped due to this confusion. **Bacteriological samples for January 2019 are scheduled to be collected on January 21, 2019.** In the future, we will make sure to collect the required bacteriological samples to comply with the regulations and comply with the directives from the State Water Resources Control Board, Division of Drinking Water.

For more information, please contact:

Debbie Jones, Office Manager, Rand CWD

Phone: 760-374-2121

P.O. Box 224 Johannesburg, CA 93528

*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.*

### **Secondary Notification Requirements**

Upon receipt of notification from a person operating a public water system, the following notification must be given within 10 days [Health and Safety Code Section 116450(g)]:

- SCHOOLS: Must notify school employees, students, and parents (if the students are minors).
- RESIDENTIAL RENTAL PROPERTY OWNERS OR MANAGERS (including nursing homes and care facilities): Must notify tenants.
- BUSINESS PROPERTY OWNERS, MANAGERS, OR OPERATORS: Must notify employees of businesses located on the property.

This notice is being sent to you by Rand Communities Water District in compliance with the California Domestic Water Quality and Monitoring Regulations as a means of keeping the public informed.

State Water System ID: 1510016

Date distributed: \_\_\_\_\_

## APPENDIX 2. COMPLIANCE CERTIFICATION

**Citation Number:** 03\_19\_19C\_004

**Name of Water System:** Rand Communities Water District

**System Number:** 1510016

### Certification

I certify that the users of the water supplied by this water system were notified of the bacteriological monitoring violation of California Code of Regulations, Title 22, Section 64423 for the compliance period of December 2018 and the required actions listed below were completed.

Required Action	Date Completed
<i>(Citation Directive 2) Public Notification Method(s) Used:</i>	
<i>Collection of Bacteriological Samples for January 2019</i>	

\_\_\_\_\_  
Signature of Water System Representative

\_\_\_\_\_  
Date

**Attach a copy of the public notice distributed to the water system's customers.**

**THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD,  
DIVISION OF DRINKING WATER, NO LATER THAN FEBRUARY 10, 2019.**

**Disclosure:** Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.

### **Appendix 3. – Notification of Receipt**

**Citation Number:** 03\_19\_19C\_004

**Name of Water System:** Rand Communities Water District

**System Number:** 1510016

#### **Certification**

I certify that I am an authorized representative of the Rand Communities Water District and that Citation No. 03\_19\_19C\_004 was received on \_\_\_\_\_. Further I certify that the Citation has been reviewed by the appropriate management staff of the Rand Communities Water District and it is clearly understood that Citation No. 03\_19\_19C\_004 contains legally enforceable directives with specific due dates.

\_\_\_\_\_  
Signature of Water System Representative

\_\_\_\_\_  
Date

<b>THIS FORM MUST BE COMPLETED AND RETURNED TO THE STATE WATER BOARD, DIVISION OF DRINKING WATER, NO LATER THAN JANUARY 25, 2019.</b>
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**Disclosure:** Be advised that the California Health and Safety Code, Sections 116725 and 116730 state that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the Safe Drinking Water Act may be liable for, respectively, a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation or, for continuing violations, for each day that violation continues, or be punished by a fine of not more than \$25,000 for each day of violation, or by imprisonment in the county jail not to exceed one year, or by both the fine and imprisonment.